

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

BRANDI WHITFORD,

Defendant.



19-CR-237-V  
DECISION & ORDER

1. On August 18, 2020, the defendant, Brandi Whitford, pleaded guilty to Count 2 of the indictment charging a violation of Title 21, United States Code, Section 856(a)(1) (maintaining a drug involved premises). Docket Item 74.

2. On August 18, 2020, the Honorable H. Kenneth Schroeder, Jr., United States Magistrate Judge, filed a Report & Recommendation recommending that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty. Docket Item 77.

3. This Court has not received objections to the Report & Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4. This Court has carefully reviewed *de novo* Judge Schroeder's Report & Recommendation (docket item 77), the plea agreement (docket item 74), the indictment (docket item 13), a transcript of the digital FTR recording of the plea proceeding (docket item 81), and the applicable law. This Court finds no legal or factual error in Judge Schroeder's Report & Recommendation and therefore adopts Judge

Schroeder's recommendation that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty of Count 2 of the indictment.

IT IS HEREBY ORDERED that this Court adopts Judge Schroeder's August 18, 2020 Report & Recommendation, Docket Item 77, in its entirety, including the authorities cited and the reasons given therein, and it is further ORDERED that the Court accepts the defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and the defendant, Brandi Whitford, is now adjudged guilty under Title 21, United States Code, Section 856(a)(1) (maintaining a drug involved premises).

SO ORDERED.

Dated: September 25, 2020  
Buffalo, New York



LAWRENCE J. VILARDO  
UNITED STATES DISTRICT JUDGE